



**US Army Corps
of Engineers®**
New York District

Glen Cove Creek, NY

Maintenance Dredging

FACT SHEET

SEPTEMBER 2004

DESCRIPTION: Maintenance Dredging of Glen Cove Creek, NY in FY00.

AUTHORIZATION: Adopted by the Rivers and Harbors Act of 1925. The existing federal navigation project provides for a channel, 8 feet deep, 100 feet wide from deep water in Hempstead Harbor to the head of navigation at the City of Glen Cove.

STATUS: The outer portion of the channel was maintained in FY 1997. Maintenance dredging of the remaining portion of the creek was awarded to Bullard Lindsay Contracting on 30 August 2000. The basic work under the contract includes the dredging with upland placement of approximately 30,500 cubic yards of material. Options within the contract allow for the removal of up to 15,000 additional cubic yards of material based on the available capacity of the upland site. Mobilization and disposal site preparation commenced on 19 Sept. 2000, dredging started on 18 Oct. 2000. On November 10th, the contractor informed the Corps that a large amount of debris and pilings were encountered and concluded that it is increasingly non-productive to try to finish the project hydraulically. Subsequently, the contract was modified to use an excavator dredge. Dredging resumed in late February and was suspended again in April 2001 due to the discovery of an oil layer sediment in the creek and radiation in dredged material at the upland dewatering site in May 2001. A stop work order was issued and radiological contamination signs were posted. The work site was immediately secured by the Corps and EPA, which prevented the removal of equipment from the dewatering site by the contractor. Equipment downtime payments have been made to the contractor in order to mitigate its financial condition. The Corps provided assistance to decontaminate and demobilize (including the two scows with dredged material in the creek) the contractor's equipment on site. All equipment has been decontaminated and demobilized. Additional sampling of the creek sediment for radiological and oil contamination was completed and the report was submitted by the contractor (Cabrera) in the 1st week of March 2002. The report concluded that significant thorium contamination is present in the creek sediments. By letter dated 22 February 2002, the District terminated the dredging contract with Bullard-Lindsay under the "Termination for the Convenience of the Government" contract clause. On July 2002, contractor submitted Request for Equitable Adjustment (REA) on Diff. Site Conditions and costs for Termination for Convenience (T4C). Partial payment in the amount of \$559,777.03 for REA was processed on 9 Sept 2002. Audit for REA and T4C was completed by DCAA in April 2003. District's position on REA and T4C settlements was forwarded to Hill International on 4 June 2003. By letter dated 18 July 2003, Hill International stated that the cost proposal remains essentially as stated, with minor downward adjustment on several minor issues. A settlement meeting was held on October 22, 2003 with good progress. After several correspondences, COE's forwarded latest offer to Hill International on 5 April 2004. By letter dated 23 July 2004, Hill International requested a meeting to resolve the request for REA and T4C. The radiological contaminated material in the dewatering site was segregated by USEPA in the summer of 2002 and stored in the Dixon Warehouse awaiting for disposal under the Superfund clean-up program. The City of Glen Cove disposed of the remaining dredged material (to N. Hempstead Landfill) from the dewatering site in November/December 2002. COE has no authority to complete the dredging of the creek, which was contaminated with radiation. EPA would undertake the dredging of the remaining portions of the creek under the Superfund program.

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